

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	)	
George R. Greene Jr. et al.	)	Group Art Unit: 3733
	)	
Serial No.: 10/670,142	)	Examiner: James L. Swiger III
	)	
Filed: September 24, 2003	)	
	)	
For: FILAMENTOUS EMBOLIZATION	)	
DEVICE WITH EXPANSIBLE	)	
ELEMENTS	)	
_____	)	
	)	
	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RESPONSE TO RESTRICTION/ELECTION REQUIREMENT**

Dear Sir:

In response to the restriction/election requirement imposed in the office action mailed January 23, 2006, applicant elects to prosecute the species designated as "Species VI", illustrated in Figures 24-35. At least the following claims read on the elected species: Claims 27, 28, 31-35 and 56-61.

This election is made with traverse, to the extent that it is Applicant's position that Figures 36-42B illustrate a single embodiment, as discussed in the specification at page 14, line 11 to page 15, line 4, and at page 27, line 15 to page 28, line 8. Furthermore, Figures 43 and 44 do not illustrate a distinct species or embodiment, but rather a method of measuring the flexibility of a device according to any of the embodiments disclosed and claimed in the application, as discussed in the specification at page 15, lines 5-8.

Finally, Applicant respectfully disagrees with the Examiner's position that no claims are generic. Applicant respectfully submits that claims 27, 28, 31-35, and 56-61 are generic to all embodiments or species, for the following reasons:

All claimed embodiments or species include a filamentous carrier formed of a length of wire having an elastic memory that may initially be configured with a portion forming a looped structure assuming a three-dimensional shape, with an embolizing element arranged coaxially


around the carrier and non-releasably attached thereto, with the embolizing element being formed at least in part of a hydrophilic polymer (claim 27). All claimed embodiments may have a carrier comprising a microcoil (claim 28). All claimed embodiments may include a linkage element, as defined in claims 31-35. All claimed embodiments may include a stretch-resistant embolizing element non-releasably fixed to the carrier at a location proximal from the distal tip of the carrier (claim 56). All claimed embodiments may include an embolizing element that includes the materials or characteristics recited in claims 57, 58, 60, and 61; or a radiopaque carrier, as recited in claim 59.

In summary, it is respectfully submitted that claims 27, 28, 31-35, and 56-61 read on the elected species (Species VI, Figures 24-35), and that these claims are generic to all claimed species.

An expeditious examination of the claims on the merits is respectfully requested.

Respectfully submitted,

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